

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should/should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this - day of _____, 19____, that the herein Petition for Variance(s) to permit

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should/should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this - day of _____, 19____, that the herein Petition for Variance(s) to permit

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
1/4 Corner Blenheim & Sweet : OF BALTIMORE COUNTY
Air Rds., 10th District :
ALICE W. BEURY, Petitioner : Case No. 64-219-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

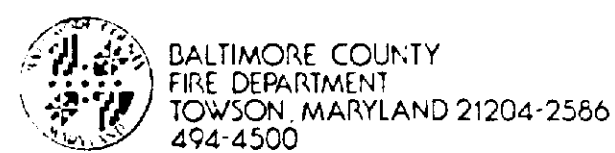
Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2168

I HEREBY CERTIFY that on this 16th day of February, 1984, a copy of the foregoing Entry of Appearance was mailed to Alice Beury, 14132 Blenheim Road North, Phoenix, MD 21131, Petitioner.

Phyllis Cole Friedman
Phyllis Cole Friedman

Located on the southwest corner of Sweet Air and Blenheim Roads and running the following courses and distances:

S 250 30'W - 494'
N 750 00'N - 256'
N 120 04'W - 356'
N 820 00'E - 342'
S 770 45'E - 80.55' Thence to the point of beginning. Also known as 14132 Blenheim Road.



PAUL H. RENCKE
CHIEF

February 14, 1984

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Alice Beury

Location: SW/Cor. Sweet Air Road and Blenheim Road

Item No.: 153 Zoning Agenda: Meeting of 12/27/83

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road, in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

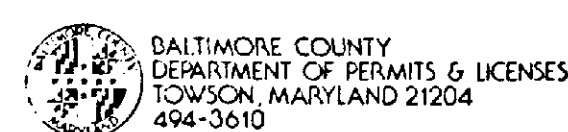
() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

(x) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *George M. Heywood*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb



TED JABLON, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

January 18, 1984

Dear Mr. Jablon:

Comments on Item # 153 Zoning Advisory Committee Meeting are as follows:

Property Owner: Alice Beury
Location: SW/Cor. Sweet Air Road and Blenheim Road
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a height of 19' in lieu of the required 15'.

Address: 422.85/256 x 356/494
District: 10th.

The items checked below are applicable:

(X) A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill A-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.

(X) B. A building/ & other miscellaneous permit shall be required before beginning construction.

(X) C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data. (to be determined by use of second floor.)

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 6'0" for commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction; no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 101, line 2, Section 1107 and Table 1105, also Section 505.2.

F. Requested variance appears to conflict with the Baltimore County Building Code, Section 505.

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 101.

(X) I. Comments - Use of second floor is not indicated on plans. See Section 312.0. Certification, that footings, walls and existing structural elements will support an additional story may be needed. The fire separation required could range from one to 3 hours between floors depending on the use.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 N. Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burman
Charles E. Burman, Chief
Plans Review

CEB:es

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 23, 1984

COUNTY OFFICE Bldg.
111 N. Chesapeake Ave.
Towson, Maryland 21204

000
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Social Administration
Industrial
Development

Ms. Anne W. Beury
14132 Blenheim Road North
Phoenix, Maryland 21131

RE: Item No. 153 - Case No. 84-219-A
Petitioner - Alice Beury
Variance Petition

Dear Ms. Beury:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

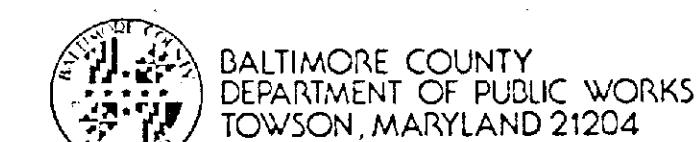
Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari, Jr.
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures



HARRY J. STEL R.E.
DIRECTOR

February 16, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #153 (1983-1984)
Property Owner: Alice Beury
S/W cor. Sweet Air Rd. & Blenheim Rd.
Address: 422.85/256 X 356/494
District: 10th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Sweet Air Road (Md. 145) is a State Road. All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

Blenheim Road, an existing public road, is proposed to be further improved in the future on a 60-foot right-of-way, with fillet areas for sight distance at the Sweet Air Road intersection.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 153 (1983-1984).

Very truly yours,

Robert A. Norton
ROBERT A. NORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:es

U-NE Key Sheet
79 NE 13 Pos. Sheet
NE 20 D Topo
36 & 44 Tax Map

BALTIMORE COUNTY DEPARTMENT OF PLANNING
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 153, Zoning Advisory Committee Meeting of Dec 27, 1983
Property Owner: Alice Beury
Location: SW/Cor. Sweet Air Road District 10
Water Supply: Sewage Disposal

- COMMENTS ARE AS FOLLOWS:
- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
 - () Prior to new installation of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation before work begins.
 - (x) A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
 - () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
 - () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
 - () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other amusements pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
 - () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
 - (x) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Zoning Item # 153
Page 2

- () Any existing underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled.
- () Soil percolation tests have been conducted.
() Revised plans must be submitted prior to approval of the percolation tests.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test shall be valid until is not acceptable and must be retested. This must be accomplished prior to conveyance of property or approval of Building Permit Applications.
- () All roads and parking areas should be surfaced with a dustless, bonding material.
- () No health hazards are anticipated.
- (x) Others: *Permit to be issued for Building Permit to the owner. The owner has agreed to pay for the water well yield test. The owner has agreed to pay for the water well yield test. The owner has agreed to pay for the water well yield test.*

Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1080 (2)

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
444-4550

PAUL H. RENCKE
CHIEF

February 14, 1984

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Comodori, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Alice Beury

Location: SW/Cor. Sweet Air Road and Blenheim Road

Item No.: 153 Zoning Agenda: Meeting of 12/27/83

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road, in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.

(x) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *John Kelly* Planning Group *Robert Williams* Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
444-3010

110 JABLON JR.
DIRECTOR

January 18, 1984

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 153 Zoning Advisory Committee Meeting are as follows:

Property Owner: Alice Beury
Location: SW/Cor. Sweet Air Road and Blenheim Road
Existing Zoning: R-C-5
Proposed Zoning: Variance to permit a height of 19' in lieu of the required 15'.

Address: L22.85/256 x 356/494
District: 10th.

The items checked below are applicable:

- (x) A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill L-85 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
- (x) B. A building/ & other miscellaneous permit shall be required before beginning construction.
- (x) C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal 19/84 not required. Non-reproduced seals and signatures are required on Plans and technical data. (To be determined by use of second floor.)
- 1. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table L01, Line 2, Section 1407 and Table L02, also Section 503.2.
- F. Requested variance appears to conflict with the Baltimore County Building Code, Section/A _____.
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer carry to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table L01.
- (x) I. Comments - Use of second floor is not indicated on plans. See Section 312.0. Certification, that footings, walls and existing structural elements will support an additional story may be needed. The fire separation required could range from one to 3 hours between floors depending on the use.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 102 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

Charles P. Burman
Charles P. Burman, Chief
Department of Permits & Licenses

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

February 28, 1984

Ms. Anne W. Beury
14132 Blenheim Road North
Phoenix, Maryland 21131

Re: Petition for Variances
SW/Corner Blenheim & Sweet Air Roads
Anne W. Beury - Petitioner
Case No. 84-219-A

Dear Ms. Beury:

This is to advise you that \$43.16 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 126881

DATE 3/5/84 ACCOUNT R-01-615-000

AMOUNT \$43.16

RECEIVED Anne W. Beury
FOR Advertising & Posting Case #84-219-A

C 015*****433610 0053A

VALIDATION OR SIGNATURE OF CARRIER

PETITION FOR VARIANCES

10th Election District

ZONING: Petition for Variances

LOCATION: Southwest corner of Blenheim and Sweet Air Roads

DATE & TIME: Monday, March 5, 1984 at 10:00 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variances to permit an accessory structure to be located in the side yard in lieu of the required rear third of the lot farthest removed from any street and to permit a height of 19 ft. for an accessory structure in lieu of the permitted 15 ft.

Being the property of Anne W. Beury, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Located on the southwest corner of Sweet Air and Blenheim Roads and running the following courses and distances:

S 25° 30' N - 494'
N 75° 00' N - 256'
N 120° 04' N - 356'
N 82° 00' E - 342'
S 77° 45' E - 80.55' Thence to the point of beginning. Also known as 14132 Blenheim Road.

IN RE: PETITION ZONING VARIANCES
SW/Corner of Blenheim and Sweet Air Roads - 10th Election District
Anne W. Beury, Petitioner
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 84-219-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests variances to permit an existing accessory structure (garage) to be located in the side yard instead of the required rear yard and to permit a height of 19 feet for said structure instead of the permitted 15 feet, as more fully described on Petitioner's Exhibit 1.

The Petitioner and her son, Peter Beury, appeared and testified. Also testifying was Michael Knott, a neighbor who appeared as a Protestant.

Testimony indicated that the Petitioner has lived on the subject property, zoned R-C-5, for approximately 30 years. The existing dwelling on the property is almost 100 years old. There also existed a garage to the rear (or side) of the house which was probably the same age. It collapsed about three years ago after a heavy snow fall, and since that time, the Petitioner constructed a three-car garage on the same site.

Petitioner now needs to expand the new garage to gain additional space to store many antiques she inherited from a close relative which are kept in a tractor trailer container on the property. Although the Petitioner's home is large, it does not have the amount of space required; therefore, the Petitioner proposes to raise the height of the garage to 19 feet to create the necessary room. The garage is presently utilized for two automobiles and a tractor.

The property is large and fronts on both Sweet Air and Blenheim Roads. The Petitioner and the Protestant agreed that the house actually fronts on Blenheim

ORDER RECEIVED FOR FILING
DATE March 3, 1984
BY [Signature]

Road. A two-acre field exists on Sweet Air Road between the subject site and the closest property, a church. The garage cannot be seen from Blenheim Road by normal traffic and only with difficulty from Sweet Air Road. Since it was agreed that the front of the dwelling faces Blenheim Road, the garage is, in fact, located in the rear yard and the requested variance to permit the accessory structure to be located in the side yard is moot.

The Protestant complained of the poor condition in which the property and home are maintained and of the service garage operation. Although some of the complaints raised are not zoning issues, others are and they will be addressed in the restrictions incorporated in this decision. The Protestant, speaking in behalf of other neighbors, complained about the aesthetic condition of the existing garage and home, but such complaints are beyond the scope of the Baltimore County Zoning Regulations (BCZR). The garage is not incompatible with the house and surrounding area. The choice of aluminum or vinyl siding, and/or peeling paint, is not a problem that the BCZR can resolve.

To increase the height of the garage would not create an unusual or adverse impact on the community. The larger garage is needed, and the Petitioner testified that without the variance, she would lack available storage space and be forced to keep the antiques elsewhere, although she feels it is necessary to keep them on the property.

The Petitioner seeks relief from Section 400.3, pursuant to Section 307, BCZR, for an area variance may be granted where strict application of the zoning regulation to the petitioner and his property would cause practical difficulty. (See Soley, 270 Md. 208 (1973)). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

- 2 -

2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement the Petitioner seeks relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 4th day of March, 1984, that the variance to permit an existing accessory structure (garage) to be located in the side yard instead of the required rear yard is moot and, as such, is hereby DISMISSED.

It is FURTHER ORDERED that the variance to permit a height of 19 feet for said structure instead of the required 15 feet be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

ORDER RECEIVED FOR FILING
DATE March 9, 1984
BY [Signature]

- 3 -

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZPAC), which are adopted in their entirety and made a part of this Order.
3. The tractor trailer container and all junk and debris shall be removed from the subject property within 30 days from the date of this Order.
4. Automobiles may not be repaired or rebuilt and no business machinery may be stored on the subject property.
5. The exterior of the addition to the garage shall be in conformity with and uniform to the existing garage.

[Signature]
Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING
DATE March 9, 1984
BY [Signature]

- 4 -

March 9, 1984

Mrs. Anne W. Beury
14132 Blenheim Road North
Phoenix, Maryland 21131

IN RE: Petition Zoning Variances
SW/corner of Blenheim and
Sweet Air Roads - 10th
Election District
Anne W. Beury, Petitioner
Case No. 84-219-A

Dear Mrs. Beury:

I have this date passed my Order in the above-referenced matter in accordance with the attached.

Sincerely,

ARNOLD JABLON
Zoning Commissioner

AJ/ari

Attachments

cc: Mr. Michael Knott
1401 Blenheim Road North
Phoenix, Maryland 21131

People's Counsel

IN RE: PETITION ZONING VARIANCES
SW/corner of Blenheim and
Sweet Air Roads - 10th
Election District
Anne W. Beury, Petitioner
Case No. 84-219-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests variances to permit an existing accessory structure (garage) to be located in the side yard instead of the required rear yard and to permit a height of 19 feet for said structure instead of the permitted 15 feet, as more fully described on Petitioner's Exhibit 1.

The Petitioner and her son, Peter Beury, appeared and testified. Also testifying was Michael Knott, a neighbor who appeared as a Protestant.

Testimony indicated that the Petitioner has lived on the subject property, zoned R.C.5, for approximately 30 years. The existing dwelling on the property is almost 100 years old. There also existed a garage to the rear (or side) of the house which was probably the same age. It collapsed about three years ago after a heavy snow fall, and since that time, the Petitioner constructed a three-car garage on the same site.

The Petitioner now needs to expand the new garage to gain additional storage space to store many antiques she inherited from a close relative which are now kept in a tractor trailer container on the property. Although the Petitioner's home is large, it does not have the amount of space required; therefore, the Petitioner proposes to raise the height of the garage to 19 feet to create the necessary room. The garage is presently utilized for two automobiles and a tractor.

The property is large and fronts on both Sweet Air and Blenheim Roads. The Petitioner and the Protestant agreed that the house actually fronts on Blenheim

2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement the Petitioner seeks relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 4th day of March, 1984, that the variance to permit an existing accessory structure (garage) to be located in the side yard instead of the required rear yard is moot and, as such, is hereby DISMISSED.

It is FURTHER ORDERED that the variance to permit a height of 19 feet for said structure instead of the required 15 feet be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- 3 -

February 7, 1984

Mrs. Anne W. Beury
14132 Blenheim Road North
Phoenix, Maryland 21131

NOTICE OF HEARING
Re: Petition for Variances
SW/corner Blenheim & Sweet Air Roads
Anne W. Beury - Petitioner
Case No. 84-219-A

TIME: 10:00 A.M.

DATE: Monday, March 5, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

[Signature]
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 124008

DATE 12/12/83 ACCOUNT 1-21-615-000

AMOUNT 35.00

RECEIVED FROM Scott M. D. FOR [Signature]

C 103*****35010 0122A

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR VARIANCES

10th Election District

ZONING: Petition for Variances

LOCATION: Southwest corner of Blenheim and Sweet Air Roads

DATE & TIME: Monday, March 5, 1984 at 10:00 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variances to permit an accessory structure to be located in the side yard in lieu of the required rear third of the lot farthest removed from any street and to permit a height of 19 ft. for an accessory structure in lieu of the permitted 15 ft.

Being the property of Anne W. Beury, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the applicable process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZPAC), which are adopted in their entirety and made a part of this Order.
3. The tractor trailer container and all junk and debris shall be removed from the subject property within 30 days from the date of this Order.
4. Automobiles may not be repaired or rebuilt and no business machinery may be stored on the subject property.
5. The exterior of the addition to the garage shall be in conformity with and uniform to the existing garage.


Zoning Commissioner of
Baltimore County

INTER-OFFICE CORRESPONDENCE

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber, Director
Office of Planning and Zoning

NEG/JGH/sf

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber, Director
Office of Planning and Zoning

NEG/JGH/2f

Cost of Advertisement, \$ 17.00

PETITION FOR VARIANCE
TO
THE BOARD OF ZONING
COMMISSIONERS
OF THE CITY OF BALTIMORE

ZONING: Petition for Variance
LOCATION: Southwest corner
of East and West Roads
DATE & TIME: 11:00 A.M.
on 11/10/40
ADDRESS: Room
Cotton Office Building, 11 W. Ch
Maryland

The Zoning Commissioner of Baltimore County, by authority of the Board of Zoning Commissioners of Baltimore County, will hold a public hearing on the following

Petition for Variance to permit
the use of a portion of the lot at
the side yard in lieu of the
front yard of the lot for
the use of the lot for
that removed from the lot
to permit a lift of the
lot for the use of the
lot for the use of the
lot for the use of the

permitted 18 ft.

of the property of Anne W.
Boury, as shown on plat plan
of the lot for the use of the
lot for the use of the lot
in the event that this Petition is
granted, a building permit may be
issued for the use of the lot
annual period. The Zoning Commission
will hold a public hearing on the
request for a stay of the issuance
of the building permit for the
for good cause shown. Such request
may be made in writing by the
owner of the lot, or by the
made at the hearing.

ARNOLD FARLON
Commissioner of Baltimore County

W. H.

Towson, Md. 2/22 1984

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md. once a week for 1 consecutive weeks, the first publication appearing on the 15th day of Feb. 1984.

The TOWSON TIMES
M. Angelle
Cost of Advertisement: \$ 20.16

6675159. 2686

PETITION FOR VARIANCES
1309 Election District

ZONING: Petition for Variance
LOCATION: Southwest corner of Street
and Street A Road
DATE: TIME: Monday, March 8, 1982
10:00 A.M.

DESCRIPTION: 1004, 1006, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 16

Cost of Advertisement, \$ 18.00

[illegible]

Towson, Md. 2/22 1984

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for 1 consecutive weeks, the first publication appearing on the 15th day of Feb, 1984.

The TOWSON TIMES
M. Angelella
Cost of Advertisement: \$ 20.16

PETITION FOR VARIANCES
1039 Election District
ZONING: Petition for Variances
LOCATION: Eastern portion of Blenheim
and Sweet Air Roads
1039 Election District
10:00 A.M.
PUBLIC HEARING: Room 108, County Office
Building, 1000 North Main Street,
Towson, Maryland
The Board of Zoning Appeals of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing
Petition for Variances to permit an accessory
dwelling unit on the property of the
of the required rear third of the lot farthest
removed from any street and to permit a
variance from the minimum lot area re-
quirement of the permitted 185.
The hearing will be held on **Monday, June 15, 1986**, at **10:00 A.M.** in **Room 108**, as shown on plan filed with the Zoning Department.
It is noted that this Petition is granted, a
building permit may be issued within the three-
month period following the date of the public
hearing. However, applicants may request
a stay of the issuance of said permit during
the pendency of the appeal. Such request
must be received in writing by the date of
the hearing and shall be made at the hearing.

BY ORDER OF ARNOLD JASBON
CHIEF ADMINISTRATOR OF ZONING

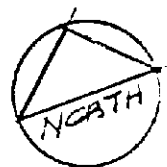
District: 10 Date of Posting: 2/18/84
 Posted for: Retention for 9 Months
 Petitioner: Smith, the Boeing
 Location of property: 3014 Glenburn St. Everett Air Fld.
 Location of Signs: along intersection of Glenburn St.
Boeing Air
 Remarks: _____
 Posted by: Alan Z. Coleman Date of return: 2/24/84
 Number of Signs: _____
 Signature _____

Ms. Anne W. Beury
14132 Blenheim Road North
Phoenix, Maryland 21131

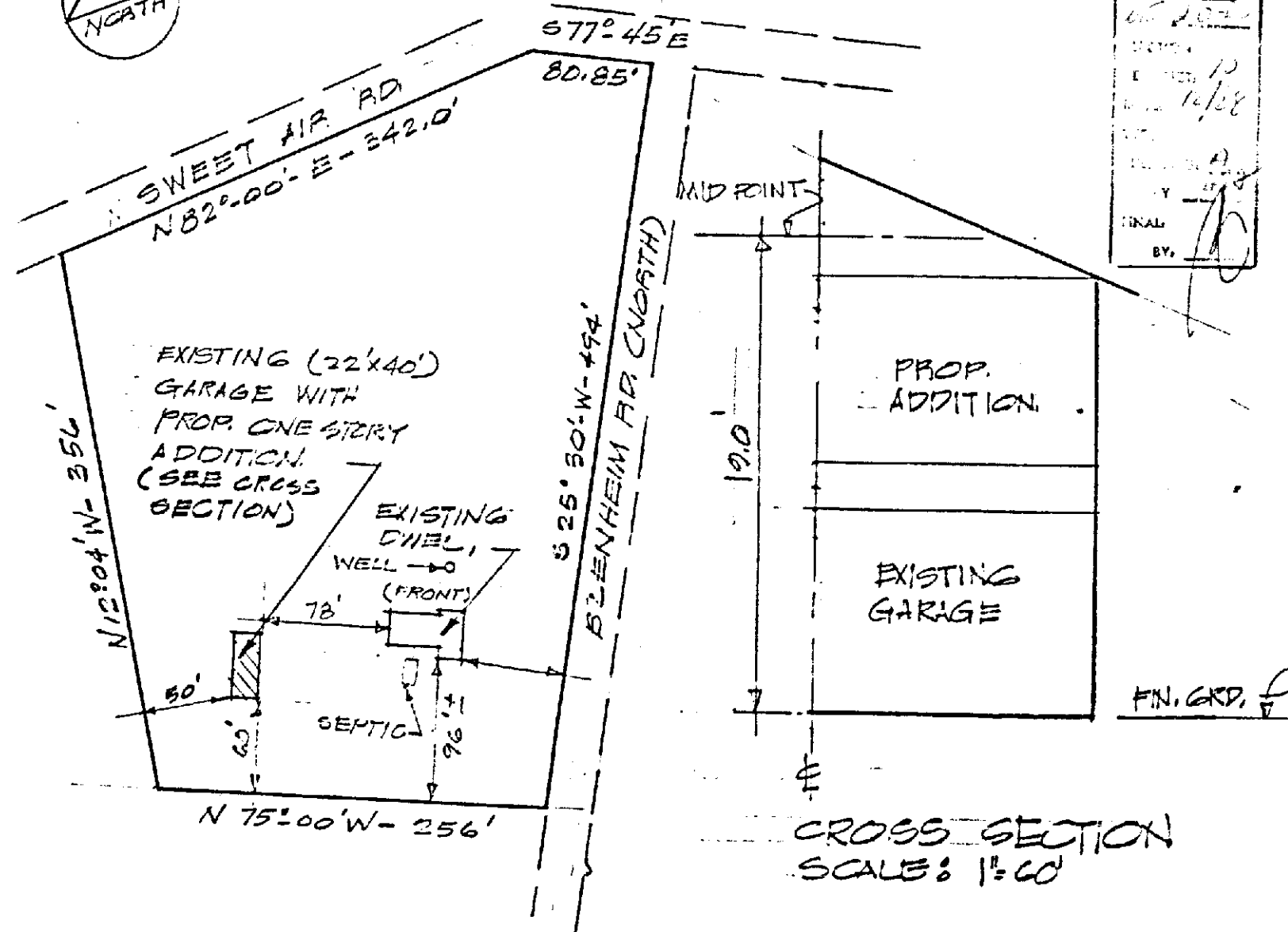
Your petition has been received and accepted for filing this
27th day of January, 1984.

Petitioner Alice Beury
 Petitioner's
 Attorney

ARNOLD JABLON
Zoning Commissioner
Received by Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee



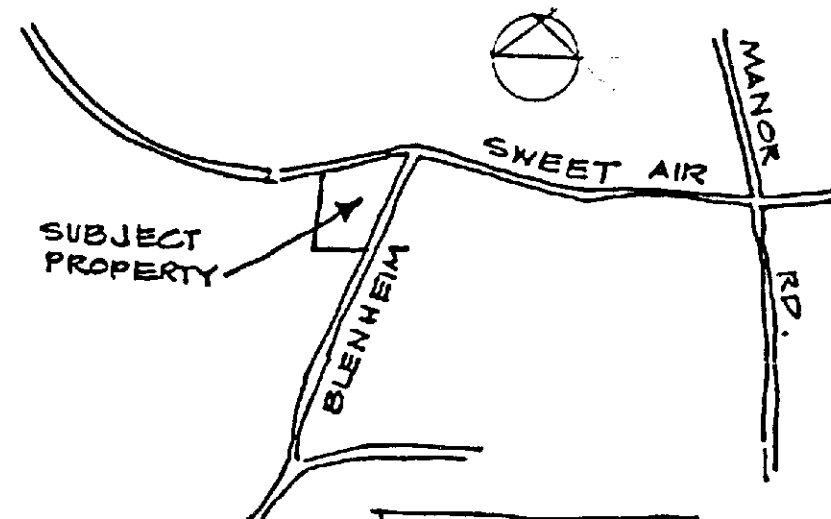
VICINITY MAP



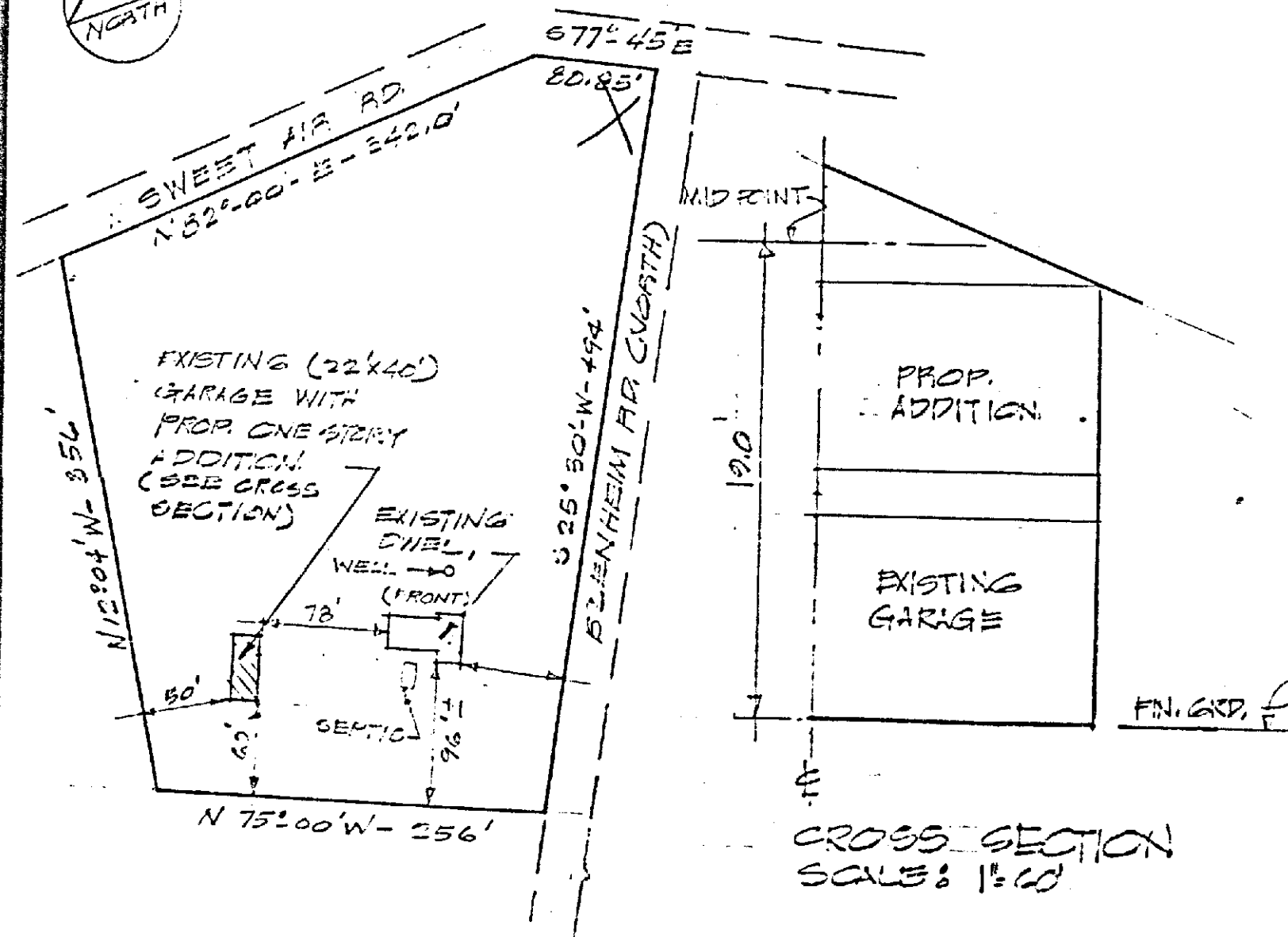
PLAT FOR ZONING VARIANCE
OWNER: ANNE W. BEURY
DISTRICT 10, ZONED R.C. 5

Item #153

OWNERS WILL TAKE FULL RESPONSIBILITY AS TO THE INFORMATION PROVIDED ON SAID PLOT PREPARED BY DALTO. CO.	
<u>Anne W. Beury</u> OWNER	<u>12/16/83</u> DATE
OWNER	DATE



VICINITY MAP



PLAT FOR ZONING VARIANCE
OWNER: ANNE W. BEURY
DISTRICT 10, ZONED R.C. 5

Item #153

**PETITIONER'S
EXHIBIT** 1

OWNERS WILL TAKE FULL RESPONSIBILITY AS TO THE INFORMATION PROVIDED ON SAID PLOT PREPARED BY DALTO. CO.	
<u>Anne W. Beury</u> OWNER	<u>12/16/83</u> DATE
OWNER	DATE